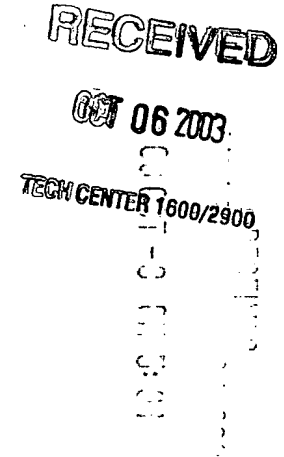


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Chen, James  
Serial No.: 09/905,777  
Customer No.:24961  
Confirmation No.:5768  
Filed: July 13, 2001  
For: *Noninvasive Vascular Therapy*  
Art Unit: 1614  
Examiner: Unassigned



TRANSMITTAL LETTER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith are a Supplemental Information Disclosure Statement, Forms PTO-1449 (12 pages) and cited references for filing in connection with the above-identified application.

- The Commissioner is hereby authorized to charge any fee, including any submitted herewith if the attached check(s) is in the wrong amount or otherwise improper or missing, that may be due in connection with this and the attached papers, or with this application during its entire pendency to or to credit any overpayment to Deposit Account No. 50-1213. A duplicate of this sheet is enclosed.

Respectfully submitted,  
HELLER, EHRMAN, WHITE & McAULIFFE LLP

By:   
Stephanie L. Seidman  
Registration No. 33,779

Date: October 2, 2003  
Attorney Docket No. 25886-0057  
**Address all correspondence to:**  
Stephanie L. Seidman, Esq.  
HELLER, EHRMAN, WHITE & McAULIFFE LLP  
4350 La Jolla Village Drive, 7th Floor  
San Diego, California 92122-1246  
Telephone: 858 450-8400  
Facsimile: 858 587-5360  
email:sseidman@HEWM.com

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicant: Chen, James  
Serial No.: 09/905,777  
Customer No.:24961  
Confirmation No.:5768  
Filed: July 13, 2001  
For: *Noninvasive Vascular Therapy*  
Art Unit: 1614  
Examiner: Unassigned

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT IN  
ACCORDANCE WITH 37 C.F.R. §§ 1.97-1.98**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Because this Supplemental Information Disclosure Statement is filed prior to receipt of a First Office Action on the Merits for the above-captioned application, a fee for filing this statement should not be due. If, however, it is determined that a fee is due, any fees that may be due in connection with filing this paper may be charged to Deposit Account No. 50-1213.

In accordance with the duty of disclosure imposed by 37 C.F.R. §1.56 to inform the Patent Office of all references known by Applicant or Applicant's representative that may be material to the examination of the subject application, Applicant's representative hereby provides this Supplemental Information Disclosure Statement that is prepared in accordance with 37 C.F.R. §§1.97-1.98. The Forms PTO-1449 (12 pages) and cited references are provided herewith.

The documents listed on the Forms PTO-1449 and supplied herewith are in the English language with the exception of Items DE and DF. Items DE and DF

U.S.S.N. 09/905,777

Chen

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

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(Japanese Patent No. 53084998 and 57185220, respectively) are in the Japanese language and are supplied with certified English language translations (Items EK and EL, respectively). Hence, in accordance with the requirements of 37 C.F.R. §1.98, as amended effective March 16, 1992, no further explanation of the listed items is necessary.

Applicant also makes known to the Office the following U.S. applications which are commonly owned and/or have one or more inventors in common with the instant application.

U.S.S.N.	Filing Date	Publication No. or Issue No.	Publication or Issue Date	Docket No.
10/384,895	03/07/03			0044RI
10/385,378	03/07/03			0044BRI
09/592,150	06/12/00	6,624,187	09/23/03	0049
09/801,163	03/07/01			0050
10/351,730	01/23/03	2003-0167033	09/04/03	0052
10/211,784	08/01/02	2002-0198576	12/26/02	0054C
09/271,575	03/18/99	6,602,274	08/05/03	0055
09/905,501	07/13/01	2002-0087205	07/04/02	0055B
10/317,269	12/10/02	2003-0109813	06/12/03	0055C
10/410,700	04/08/03			0055D
09/905,405	07/13/01	2003-0018371	01/23/03	0060
09/386,692	08/31/99	2003-0114434	06/19/03	0061
09/760,362	01/12/01			0062
10/091,144	03/04/02			0066B
10/607,922	06/27/03			0094
10/613,474	07/02/03			0095
09/150,821	09/11/98			CHEN0079

U.S.S.N. 09/905,777

Chen

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

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**OCT 06 2003**  
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10/021,891	12/12/01	2003-0030342	02/13/03	CHEN0145
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Int'l App. No.	Filing Date	Publication No.	Publication Date	Docket No.
PCT/US03/02303	01/23/03			0052PC
PCT/US03/20427	06/27/03			0094PC
PCT/US03/21179	07/02/03			0095PC
03010382.4	05/10/03			CHEN0188
PCT/US02/28149	11/25/02	WO03052793	06/26/03	CHEN0187

Although these documents are made known to the Patent and Trademark Office in compliance with Applicant's duty of disclosure, such disclosure is not to be construed as an admission by Applicant or Applicant's representative that any of the references, singly or in any combination thereof, is effective as prior art against the subject application. In accordance with 37 C.F.R. §1.97(h), the filing of this Supplemental Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. §1.56(b) exists.

**U.S.S.N. 09/905,777**

**Chen**

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Applicant respectfully requests that the Examiner review the foregoing references and make them of record in the file history of the above-captioned application.

\* \* \*

Respectfully submitted,  
HELLER, EHRMAN, WHITE & McAULIFFE LLP

By:

  
Stephanie L. Seidman  
Registration No. 33,779

Date: October 2, 2003

Attorney Docket No. 25886-0057

**Address all correspondence to:**

Stephanie L. Seidman, Esq.

HELLER, EHRMAN, WHITE & McAULIFFE LLP

4350 La Jolla Village Drive, 7th Floor

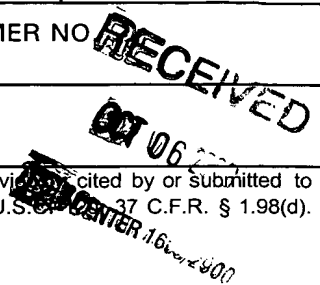
San Diego, California 92122-1246

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FORM PTO-1449  LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	ATTY. DOCKET NO. 25886-0057	SERIAL NO. 09/905,777	CONFIRM. NO. 5768
	APPLICANT Chen, James	CUSTOMER NO. 24961	
	FILING DATE July 13, 2001	GROUP 1614	



\* If an asterisk is placed beside the reference number, a copy is NOT provided because the reference was previously cited by or submitted to the PTO in a prior application that is identified in the statement and relied upon for an earlier filing date under 35 U.S.C. § 1.98(d).

+ Derwent English language abstract and/or English translation provided.

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	*Ref. Code	DOCUMENT NUMBER							DATE	NAME	CLASS	SUB CLASS	FILING DATE
		0	0	1	8	3	7	1					
	A	0	0	1	8	3	7	1	01/23/03	Chen	607	88	07/13/01
	B	0	0	4	4	6	2	3	11/22/01	Chen	606	2	07/20/01
	C	0	1	0	9	8	1	3	06/12/03	Chen	60	2	12/10/02
	D	0	1	1	4	4	3	4	06/19/03	Chen <i>et al.</i>	514	185	08/31/99
	E	0	1	2	7	2	2	4	09/12/02	Chen	424	130.1	03/04/02
	F	0	1	2	7	2	3	0	09/12/02	Chen	424	178.1	07/13/01
	G	0	1	9	8	5	7	6	12/26/02	Chen	607	88	12/26/02
	H	4	3	3	7	7	5	9	07/06/82	Popovich <i>et al.</i>	126	438	02/27/81
	I	4	6	7	5	3	3	8	06/23/87	Bommer <i>et al.</i>	514	410	07/18/84
	J	4	6	9	3	5	5	6	09/15/87	McCaughan, Jr.	350	320	06/04/85
	K	4	6	9	3	8	8	5	09/15/87	Bommer <i>et al.</i>	424	2	04/30/85
	L	4	7	5	3	9	5	8	06/28/88	Weinstein <i>et al.</i>	514	410	06/25/86
	M	4	8	2	3	2	4	4	04/18/89	Alaybayoglu <i>et al.</i>	362	194	01/29/88
	N	4	8	4	9	2	0	7	07/18/89	Sakata <i>et al.</i>	424	1.1	10/23/86
	O	4	9	3	2	9	3	4	06/12/90	Dougherty <i>et al.</i>	604	21	08/24/88
	P	4	9	9	8	9	3	0	03/12/91	Lundahl	606	15	08/04/89
	Q	5	0	0	2	9	6	2	03/26/91	Pandey <i>et al.</i>	514	410	07/20/88
	R	5	0	2	6	3	6	7	06/25/91	Leckrone <i>et al.</i>	606	7	03/18/88
	S	5	1	7	1	7	4	9	12/15/92	Levy <i>et al.</i>	514	410	06/20/91
	T	5	1	9	0	5	3	6	03/02/93	Wood <i>et al.</i>	606	16	02/19/92
	U	5	2	6	3	9	2	5	11/23/93	Gilmore <i>et al.</i>	604	4	07/22/91
	V	5	2	8	3	2	5	5	02/01/94	Levy <i>et al.</i>	514	410	09/11/92

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	
Title: <b>NONINVASIVE VASCULAR THERAPY</b>	

FORM PTO-1449  LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	ATTY. DOCKET NO. 25886-0057	SERIAL NO. 09/905,777	CONFIRM. NO. 5768
	APPLICANT Chen, James	CUSTOMER NO. 24961	
	FILING DATE July 13, 2001	GROUP 1614	

**RECEIVED**  
OCT 06 2001  
TECH CENTER 1000/2000

\* If an asterisk is placed beside the reference number, a copy is NOT provided because the reference was previously cited by or substituted to the PTO in a prior application that is identified in the statement and relied upon for an earlier filing date under 35 U.S.C. 102(b) and 37 C.F.R. § 1.98(d).

+ Derwent English language abstract and/or English translation provided.

**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL	*Ref. Code	DOCUMENT NUMBER							DATE	NAME	CLASS	SUB CLASS	FILING DATE
		5	3	1	4	9	0	5					
	W	5	3	1	4	9	0	5	05/24/94	Pandey <i>et al.</i>	514	410	11/09/92
	X	5	3	4	4	4	3	4	09/06/94	Talmore	607	88	12/21/92
	Y	5	3	9	9	5	8	3	03/21/95	Levy <i>et al.</i>	514	410	01/25/94
	Z	5	4	5	6	6	6	1	10/10/95	Narciso, Jr.	604	20	03/31/94
	AA	5	4	7	4	5	2	8	12/12/95	Meserol	604	20	03/21/94
	AB	5	4	7	4	7	6	5	12/12/95	Thorpe	424	178.17	03/23/92
	AC	5	4	8	2	6	9	8	01/09/96	Griffiths	424	1.41	04/22/93
	AD	5	4	8	4	8	0	3	01/16/96	Richter	514	410	02/02/95
	AE	5	4	9	4	7	9	3	02/27/96	Schindele <i>et al.</i>	435	6	06/14/89
	AF	5	5	1	9	5	3	4	05/21/96	Smith <i>et al.</i>	359	599	05/25/94
	AG	5	5	4	3	5	1	4	08/06/96	Sessler <i>et al.</i>	540	472	04/06/95
	AH	5	5	6	5	5	5	2	10/15/96	Magda <i>et al.</i>	534	11	06/07/95
	AI	5	5	7	1	1	5	2	11/05/96	Chen <i>et al.</i>	607	92	05/26/95
	AJ	5	5	7	6	0	1	3	11/19/96	Williams <i>et al.</i>	424	423	03/21/95
	AK	5	5	9	1	8	5	5	01/07/97	Hudkins <i>et al.</i>	546	256	04/24/95
	AL	5	5	9	4	1	3	6	01/14/97	Sessler <i>et al.</i>	540	472	05/03/95
	AM	5	6	1	6	1	4	0	04/01/97	Prescott	606	10	03/21/94
	AN	5	6	3	0	9	9	6	05/20/97	Reno <i>et al.</i>	424	1.49	09/16/93
	AO	5	6	3	4	7	1	1	06/03/97	Kennedy <i>et al.</i>	362	119	09/13/94
	AP	5	6	4	3	3	3	4	07/01/97	Eckhouse <i>et al.</i>	607	88	02/07/95
	AQ	5	6	4	5	5	6	2	07/08/97	Hann <i>et al.</i>	606	194	03/11/96
	AR	5	6	5	5	8	3	2	08/12/97	Pelka <i>et al.</i>	362	296	05/22/95

EXAMINER

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Title: **NONINVASIVE VASCULAR THERAPY**

FORM PTO-1449  LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	ATTY. DOCKET NO. 25886-0057	SERIAL NO. 09/905,777	CONFIRM. NO. 5768
	APPLICANT Chen, James		CUSTOMER NO. 24961
	FILING DATE July 13, 2001		GROUP 1614

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+ Derwent English language abstract and/or English translation provided.

### U.S. PATENT DOCUMENTS

EXAMINER INITIAL	*Ref. Code	DOCUMENT NUMBER							DATE	NAME	CLASS	SUB CLASS	FILING DATE
		5	6	8	6	1	1	3					
	AS	5	6	8	6	1	1	3	11/11/97	Speaker <i>et al.</i>	424	490	03/21/95
	AT	5	6	9	8	8	6	6	12/16/97	Doiron <i>et al.</i>	257	99	05/28/96
	AU	5	7	0	0	2	4	3	12/23/97	Nariso, Jr.	604	102	05/24/96
	AV	5	7	0	5	5	1	8	01/06/98	Richter <i>et al.</i>	514	410	02/16/95
	AW	5	7	0	7	4	0	1	01/13/98	Talmore	607	88	02/24/95
	AX	5	7	0	9	6	5	3	01/20/98	Leone	604	20	07/25/96
	AY	5	7	4	6	4	9	4	05/05/98	Koeda <i>et al.</i>	362	32	11/14/95
	AZ	5	7	6	6	2	2	2	06/16/98	Petit	606	234	07/07/97
	BA	5	7	6	9	8	4	4	06/23/98	Ghaffari	606	16	06/07/95
	BB	5	7	7	0	7	3	0	06/23/98	Pandey <i>et al.</i>	540	472	03/08/96
	BC	5	7	7	5	3	3	9	07/07/98	Woodburn <i>et al.</i>	128	898	08/19/97
	BD	5	7	7	6	1	7	5	07/07/98	Eckhouse <i>et al.</i>	607	100	09/29/95
	BE	5	7	7	6	4	2	7	07/07/98	Thorpe <i>et al.</i>	424	1.49	06/01/95
	BF	5	7	9	7	8	6	8	08/25/98	Leone	604	21	07/25/96
	BG	5	7	9	8	3	4	9	08/25/98	Levy <i>et al.</i>	514	185	02/17/95
	BH	5	8	0	7	8	8	1	09/15/98	Leong <i>et al.</i>	514	410	09/22/94
	BI	5	8	1	1	2	4	8	09/22/98	Ditlow <i>et al.</i>	435	7.9	06/07/95
	BJ	5	8	2	9	4	4	8	11/03/98	Fisher <i>et al.</i>	128	898	10/30/96
	BK	5	8	3	5	6	4	8	11/10/98	Narciso, Jr. <i>et al.</i>	385	31	03/07/97
	BL	5	8	4	3	1	4	3	12/01/98	Whitehurst	607	88	08/24/94
	BM	5	8	4	9	0	2	7	12/15/98	Gart <i>et al.</i>	607	93	09/04/96
	BN	5	8	5	1	2	2	5	12/22/98	Lawandy	607	88	11/13/96

EXAMINER

DATE CONSIDERED

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Title: **NONINVASIVE VASCULAR THERAPY**



FORM PTO-1449  LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	ATTY. DOCKET NO. 25886-0057	SERIAL NO. 09/905,777	CONFIRM. NO. 5768
	APPLICANT Chen, James	CUSTOMER NO. 24961	
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EXAMINER INITIAL	*Ref. Code	DOCUMENT NUMBER							DATE	NAME	CLASS	SUB CLASS	FILING DATE
		5	8	5	5	8	6	6					
	BO	5	8	5	5	8	6	6	01/05/99	Thorpe <i>et al.</i>	424	1.49	03/02/94
	BP	5	8	6	3	5	3	8	01/26/99	Thorpe <i>et al.</i>	424	136.1	06/01/95
	BQ	5	8	6	4	0	3	5	01/26/99	Pandey <i>et al.</i>	540	472	03/06/97
	BR	5	9	0	6	5	7	9	05/25/99	Vander Salm <i>et al.</i>	600	424	08/14/97
	BS	5	9	1	2	2	5	7	06/15/99	Prasad <i>et al.</i>	514	356	09/05/96
	BT	5	9	1	3	8	3	4	06/22/99	Francais	600	591	06/09/98
	BU	5	9	2	9	1	0	5	07/27/99	Sternberg <i>et al.</i>	514	410	06/01/98
	BV	5	9	5	2	3	2	9	09/14/99	Cincotta <i>et al.</i>	514	224.5	01/23/97
	BW	5	9	7	6	1	7	5	11/02/99	Hirano <i>et al.</i>	607	89	06/18/96
	BX	5	9	8	9	2	4	5	11/23/99	Prescott	606	14	03/31/97
	BY	6	0	1	3	0	5	3	01/11/00	Bower <i>et al.</i>	604	96	05/17/96
	BZ	6	0	1	5	8	9	7	01/18/00	Theodore <i>et al.</i>	540	474	05/13/96
	CA	6	0	2	1	3	4	7	02/01/00	Herbst <i>et al.</i>	607	2	12/04/97
	CB	6	0	5	1	2	3	0	04/18/00	Thorpe <i>et al.</i>	424	178.1	06/01/95
	CC	6	0	5	8	9	3	7	05/09/00	Doiron <i>et al.</i>	128	898	07/18/97
	CD	6	0	7	1	9	4	4	06/06/00	Rodgers <i>et al.</i>	514	408	11/12/97
	CE	6	1	0	0	8	9	3	08/08/00	Ensz <i>et al.</i>	345	420	05/23/97
	CF	6	1	6	5	4	4	0	12/22/00	Esenaliev	424	1.11	07/09/98
	CG	6	1	8	3	4	4	4	02/06/01	Glines <i>et al.</i>	604	187	05/16/98
	CH	6	2	1	7	8	6	9	04/17/01	Meyer <i>et al.</i>	424	178.1	09/05/97
	CI	6	2	3	8	4	2	6	05/29/01	Chen	607	88	07/19/99
	CJ	6	2	8	1	6	1	1	08/28/01	Chen <i>et al.</i>	310	171	04/11/00

EXAMINER

DATE CONSIDERED

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Title: **NONINVASIVE VASCULAR THERAPY**

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	APPLICANT Chen, James		CUSTOMER NO. 24961
	FILING DATE July 13, 2001		GROUP 1614

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+ Derwent English language abstract and/or English translation provided.

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	*Ref. Code	DOCUMENT NUMBER							DATE	NAME	CLASS	SUB CLASS	FILING DATE
		6	4	1	6	5	3	1					
	CK	6	4	1	6	5	3	1	07/09/02	Chen	607	89	06/24/98
	CL	6	4	5	4	7	8	9	09/24/02	Chen	607	88	01/15/99
	CM	6	5	2	0	6	6	9	02/18/03	Chen <i>et al.</i>	362	545	06/19/00
	CN	6	5	3	4	0	4	0	03/18/03	Pandey <i>et al.</i>	424	9.362	12/18/00
	CO	6	5	5	4	8	5	3	04/29/03	Chen	607	88	07/20/01
	CP	6	5	8	0	2	2	8	06/17/03	Chen <i>et al.</i>	315	185 R	08/22/00
	CQ	6	6	0	2	2	7	4	08/05/03	Chen	607	88	03/18/99

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	*Ref. Code	DOCUMENT NUMBER							DATE	COUNTRY	CLASS	SUB CLASS	Translation	
		0	0	4	1	7	2	7					Yes	No
	CR	0	0	4	1	7	2	7	07/20/00	PCT				
	CS	0	0	5	2	7	9	3	09/08/00	PCT				
	CT	0	1	7	5	6	1	7	10/30/91	EP				
	CU	0	1	7	8	2	1	6	10/18/01	PCT				
	CV	0	1	7	8	4	5	8	10/18/01	PCT				
	CW	0	1	9	8	7	0	8	12/27/01	PCT				
	CX	0	2	1	7	6	9	0	02/28/02	PCT				
	CY	01	0	1	5	6	9	4	03/08/01	PCT				
	CZ	03	0	5	2	7	9	3	06/26/03	PCT				
	DA	03	0	6	1	6	9	6	07/31/03	PCT				
	DB	0	4	0	7	1	2	2	01/09/91	EP				
	DC	1	3	3	4	7	4	8	08/13/03	EP A1				

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## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	*Ref. Code	DOCUMENT NUMBER							DATE	COUNTRY	CLASS	SUB CLASS	Translation	
													Yes	No
	DD	2	3	2	3	2	8	4	09/23/98	UK				
	DE	5	3	0	8	4	9	98	07/26/78	JP			Yes	
	DF	5	7	1	8	5	2	20	11/15/92	JP			Yes	
	DG	9	2	0	0	1	0	6	01/09/92	PCT				
	DH	9	3	0	0	0	0	5	01/07/93	PCT				
	DI	9	3	1	1	6	5	7	06/24/93	PCT				
	DJ	9	3	1	3	7	6	9	07/22/93	PCT				
	DK	9	3	2	4	1	2	7	12/09/93	PCT				
	DL	9	4	0	6	4	2	4	03/18/99	PCT				
	DM	9	5	3	2	0	0	1	11/30/95	PCT				
	DN	9	6	0	6	6	4	1	03/07/96	PCT				
	DO	9	7	3	1	5	8	2	09/04/97	PCT				
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	DQ	9	7	4	0	6	7	9	11/06/97	PCT				
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	DS	9	8	2	0	9	3	6	05/22/98	PCT				
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	DW	9	8	5	2	6	1	0	11/26/98	PCT				
	DX	9	9	6	7	2	4	8	12/29/99	PCT				
	DY	9	9	6	7	2	4	9	12/29/99	PCT				

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EJ	Cattel <i>et al.</i> , "The Role of Conjugation Processes and Linking Agents in the Preparation of Molecular/Particulate Conjugates - a Review", <i>S. T.P. Pharma. Sci.</i> , <u>9</u> (4):307-319 (1999)
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EQ	Dougherty, T.J., "A Brief History of Clinical Photodynamic Therapy Development at Roswell Park Cancer Institute", <i>J. Clin. Laser Med. &amp; Surg.</i> , <u>14(5)</u> :219-221 (1996)
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EV	Freiherr, G., "Advances in Photodynamic Therapy Lure Device Innovators", <i>Medical Device &amp; Diagnostic Industry</i> , <a href="http://feedback@devicelink.com">http://feedback@devicelink.com</a> , 4 pages
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EX	Granville <i>et al.</i> , "Photodynamic Treatment with Benzoporphyrin Derivative Monoacid Ring A Produces Protein Tyrosine Phosphorylation Events and DNA Fragmentation in Murine P815 Cells", <i>Photochem. Photobiol.</i> , <u>67(3)</u> :358-362 (1998)
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FA	Jiang <i>et al.</i> , "Enhanced photodynamic killing of target cells by either monoclonal antibody or low density lipoprotein mediated delivery systems", <i>J. Controlled Release</i> , <u>19</u> :41-58 (1992)
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